June 1, 2017

The Honorable Ajit Pai, Chairman
The Honorable Mignon Clyburn, Commissioner
The Honorable Michael O'Rielly, Commissioner
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Amendment of the Commission's Rules with Regard to Commercial Operations in the 3550-3650 MHz Band, GN Docket No. 12-354

Dear Chairman Pai, Commissioner Clyburn, and Commissioner O'Rielly,

In 2015, the Commission adopted rules permitting wireless broadband operations in the 3550-3700 MHz band with the hope that companies would innovate and invest to bring new services to consumers. The undersigned represent a broad group of companies that have done just that. Along with our partners and suppliers, we represent both companies that have invested to build the foundation for commercial broadband services using PAL and GAA CBRS spectrum, and companies poised to build upon that foundation to make the band a success. Our companies and organizations are among many that have worked to develop standards, build business plans, design chips, conduct operational trials, and begin the complex process of manufacturing commercial devices. Within the Wireless Innovation Forum, 47 companies are developing CBRS standards, and 52 companies from a broad range of wireless industry sectors have joined the CBRS Alliance to develop certification procedures, standards, and business opportunities for LTE-based CBRS systems. This work represents a large investment of financial resources and manpower by businesses that are bringing this valuable new spectrum resource into widespread commercial use.

We write today to encourage the FCC to remain committed to the rules it adopted in 2015 and affirmed in 2016, and to avoid making changes that could undermine existing investments, market expectations, and the ability of operators and investors to rely on FCC rules. While we do not oppose modest adjustments to certain rules, major changes that would upset the three-tier structure or risk delays in commercial roll-out would run counter to the FCC's broadband deployment goals.

The FCC's framework depends on a set of core principles that encourage deployment, innovation, and investment: (1) a balance of PAL and GAA spectrum governed by the same technology-neutral rules so operators can access the auctioned and non-auctioned spectrum needed to build effective systems; (2) geographic areas for PALs that continue to make the band economically viable for local broadband users and operators; and (3) coordination by the SAS and ESC described in the existing rules to protect higher tier users and ensure spectrally efficient use of the band so we don't inefficiently leave economic value untapped.

Changes that substantially alter the technical rules or the three pillars described above would reduce the utility of the band and penalize the businesses that have invested in reliance on the FCC's prior decisions, to the detriment of consumers that are increasingly demanding access to wireless broadband. This result would not only delay service, but also create uncertainty that will chill new investments in the future, in this and other spectrum bands.

Finally, we urge the Commission to move quickly to test and certify the SAS and ESC components of the CBRS framework. The trial period and final certification process that the Commission described in December[1] of last year appears to have not yet begun. SAS and ESC

[1] *Wireless Telecommunications Bureaus and Office of Engineering and Technology Conditionally Approve Seven Spectrum Access System Administrators for the 3.5 GHz Band*, Public Notice, DA 16-1426 (rel. Dec. 21, 2016).

administrators, therefore, continue to develop their systems without a firm schedule of when they can begin permanent commercial operation. The same is true for the many chipmakers, equipment vendors, and network operators that have invested in 3.5 GHz technology. For similar reasons, we urge the Commission and Department of Defense to finalize the requirements for ESC certification and authorize one or more ESC administrators as soon as possible. An authorized ESC is necessary for the registration of Category B CBSDs, such as most outdoor base stations,[2] and to permit the operation of *any* CBSD in coastal areas of the United States, where most Americans live, as well as near ground-based military radar systems.[3]

CBRS is no longer an experiment. Operators are trialing equipment in many areas throughout the country. SAS systems have been tested. Standards are well under way. The Commission should ensure that any limited changes to its rules are consistent with the vision that has guided industry investment and planning and do not delay commercial service to consumers.

Respectfully,

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[2] 47 C.F.R. § 96.45.

[3] *Id.* § 96.15(a)(3).


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